


FILED
U.S. DISTRICT COURT
EASTERN DISTRICT ARKANSAS

APR 19 2010

JAMES W. MCCORMACK, CLERK
By: 
DEP. CLERK

United States District Court
for the
Eastern District of Arkansas

Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: Michael Eugene Bray

Case Number: 4:95CR00225-03 JMM

Name of Sentencing Judicial Officer: Honorable Honorable Henry Woods
United States District Judge

Reassigned to the Honorable James M. Moody
United States District Judge

Offense: Ct. 1: Aiding and abetting in the transportation of stolen firearms
Ct. 4: Felon in possession of a firearm

Date of Sentence: June 19, 1996

Sentence: 90 months Bureau of Prisons, 36 months supervised release, mandatory drug testing, substance abuse counseling, supervision to be administered in district where defendant is a legal resident and/or the district where a suitable release plan has been developed, and \$100 special penalty assessment

Type of Supervision: Supervised release Date Supervision Commenced: September 4, 2008
Expiration Date: September 3, 2011

Asst. U.S. Attorney: Jana Harris

Defense Attorney: Latrece Gray

U.S. Probation Officer: Margaret N. Johnson
Phone No.: 501-604-5249

PETITIONING THE COURT

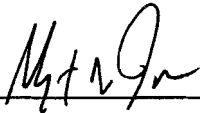
To modify the conditions of supervision as follows:

The defendant shall be placed on home detention for a period of up to 180 days. During the term of supervision, the defendant shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. The defendant shall maintain a telephone at his place of residence without call forwarding, caller ID, call waiting, modems, answering machines, cordless telephones, or any other special services for the above period. The defendant may be required to wear an electronic device and shall observe the rules specified by the Probation Office. The defendant shall assist in the costs of home detention, based on the ability to pay, at the direction of the probation officer.

CAUSE

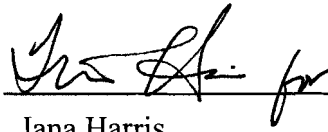
According to the defendant's probation officer in the District of Kansas, Michael Bray left the District of Kansas without permission, traveling to Nichol Hills, Oklahoma, on March 4, 2010. He was stopped by local law enforcement for failure to wear his seat belt. Police contacted the probation officer to report the traffic stop. Mr. Bray did not report the law enforcement contact. Additionally, during the month of April 2009, Mr. Bray was randomly drug tested. His specimens reflected invalid Creatinine levels, noting diluted specimens were being submitted. On April 16, 2009, Mr. Bray admitted to the ongoing use of marijuana. He reported intentionally diluting his specimens. It should be noted the probation office did not receive any positive specimens.

The Probation Form 49, Waiver of Hearing to Modify Conditions, was reviewed with him and he agreed to the modification. Defense counsel has no objections to this modification.



Margaret N. Johnson
U.S. Probation Officer

Date: April 15, 2010



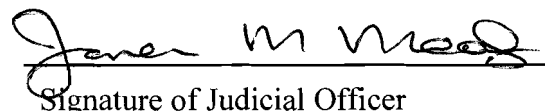
Jana Harris
Assistant U.S. Attorney

Date: _____

This form is to be filed with Criminal Docketing as a motion.

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other



Signature of Judicial Officer

4/19/10

Date

This form is to be filed with Criminal Docketing as an order and/or petition.

Approved:



Supervising U.S. Probation Officer

MNJ/khm

c: Assistant Federal Public Defender, Latrece Gray, 1401 West Capitol Avenue, Suite 490,
Little Rock, AR 72201
Assistant U.S. Attorney, Jana Harris, P.O. Box 1229, Little Rock, AR 72203

PROB 49

Waiver of Hearing to Modify Conditions
of Probation/Supervised Release or Extend Term of Supervision

UNITED STATES DISTRICT COURT
for the
District of Kansas

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By 'assistance of counsel', I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the Court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

"The defendant shall be placed on home detention for a period of up to 180 days, to commence at the direction of the probation officer. During the term of supervision the defendant shall remain at his place of residence except for employment and other activities approved in advance by the probation officer. As instructed by the probation officer, the defendant may be required to maintain a telephone at his place of residence without call forwarding, caller ID, call waiting, portable cordless telephones, answering machines/service, or any other feature or service which would interfere with the operation of electrical monitoring equipment for the above period. The defendant may be required to wear an electronic monitoring device, which may include Global Positioning System and/or Random Tracking, and follow electronic monitoring procedures specified by the probation officer. Additionally, the probation officer may restrict the defendant from certain areas within the community, and the defendant must comply with these restrictions. The defendant shall assist in the costs of home confinement, based on the ability to pay, at the direction of the probation officer."

Witness: _____

U.S. Probation Officer

Signed: _____

Probationer or Supervised Releasee

3-15-2010

DATE

Attorney: Declined

Date: _____